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**NATIONAL OCEANIC and  
ATMOSPHERIC  
ADMINISTRATION  
Environmental Manual**

NOAA		Section 04
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## **4 EMERGENCY REPORTING**

### **Synopsis**

This section has been developed to ensure that, in the case of a hazardous chemical release, all necessary reports, both internal and external are completed and filed, all required contacts and notifications are made and the appropriate actions taken.

The section applies to all NOAA facilities and work sites.

### **Initial Implementation Requirements:**

- **Appoint an Emergency Planning Coordinator**
- **Compare Site/Facility Operations with the Requirements of this Section**
  - Determine the reportable quantity for each hazardous substance and extremely hazardous substance used or stored by the facility or work site (4.5.2 and 1.6.3, 1.8.4)
  - Prepare a list of who needs to be notified in the event of a release of a hazardous substance, extremely hazardous substance or petroleum product. This list should include the name of the agency, the telephone number and what information will be required (4.7)
  - Ensure Emergency Coordinator(s) understand who they are to contact about a release (4.7)

### **Recurring and Annual Task Requirements:**

- **Annually Review Inventory of Hazardous Materials, Substances and Extremely Hazardous Substances Used or Stored at the Facility (4.5.1)**
- **Ensure the Reportable Quantity (RQ) of Each is Determined and Noted in the Emergency Response Plan (4.5.1)**

### Checklist

<b>4 Emergency Reporting</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1. Has an inventory of each hazardous substance (as listed in 40 CFR 302.4) and extremely hazardous substance (as listed in 40 CFR 355) that is used or stored by the facility or work site been prepared? (See Attachment A)	_____	_____	_____
2. Does the inventory indicate which hazardous substances and extremely hazardous substances are stored in a quantity which exceeds the reportable quantity? (4.5)	_____	_____	_____
3. Has a list describing who is to be notified in the event of a release of a hazardous substance, extremely hazardous substance or petroleum product and the order for notification been prepared? (4.5.2)	_____	_____	_____
4. Have the Emergency Coordinators identified in the facility or work site Emergency Action Plan been trained to ensure they understand who they are to contact in the event of a release and what information will be required? (4.7)	_____	_____	_____

## 4 EMERGENCY REPORTING

### 4.1 Purpose and Scope

When a hazardous chemical is released to the environment, a series of reports both internal and external to the NOAA are required. This section has been developed to ensure NOAA facilities and workstations make the appropriate reports in a timely manner. This section applies to all NOAA facilities and work sites.

### 4.2 Definitions

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Designated Person - a NOAA employee assigned the task of coordinating the emergency reporting effort. This role need not be assigned to the Facility Environmental Coordinator. It may be assigned to another NOAA employee.

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Designated Responsible Official (DRO) - the senior NOAA official on-site. This official has authority over operations or activities which are subject to environmental and worker safety statutes. The responsibility of the DROs is inherent in their position and need not be formally designated or ascribed.

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Environment - the navigable waters, the waters of the contiguous zone and the ocean waters of which the natural resources are under the exclusive management authority of the United States under the Fishery Conservation and Management Act of 1976, and any other surface water, ground water, drinking water supply, land surface or subsurface strata or ambient air within the United States or under the jurisdiction of the United States.

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Facility - any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly-owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock or aircraft or any site or area where a hazardous substance has been deposited, stored, disposed of or placed, or otherwise come to be located, but does not include any consumer product in consumer use or any vessel.

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Facility Environmental Coordinator (FEC) -the individual responsible for ensuring the activities carried out at a facility are conducted in accordance with Federal, state and local environmental regulations. Typically, each NOAA facility will have a designated FEC who is also responsible for compliance with occupational safety and health requirements. In the NWS, this individual is identified as the Environmental and/or Safety Focal Point.

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Hazardous Substance - any substance designated pursuant to 40 CFR Part 302.

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Reportable Quantity (RQ) - the amount of a hazardous substance as set forth in 40 CFR 302.4, which when released into the environment within any 24-hour period, requires an immediate report to the National Response Center

**- AND/OR -**

- the amount of an extremely hazardous substance as established in 40 CFR 355 which when released off-site, requires an immediate report to the Community Emergency Coordinator for the Local Emergency Planning Committee (LEPC).

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Waters of the United States - includes navigable waters; tributaries of navigable waters, interstate waters, the oceans out to 200-miles, intrastate lakes, rivers and streams which are used by interstate travelers for recreation and other purposes, sources of fish or shellfish sold in interstate commerce and utilized for industrial purposes by agencies engaged in interstate commerce.

Threshold Planning Quantity (TPQ)- the amount of EPA-defined extremely hazardous substance (in 40 CFR 355) that requires notification of the Local Emergency Planning Committee.

### **4.3 Acronyms Employed in This Section**

DRO	-	Designated Responsible Official
EHS	-	Extremely Hazardous Substance
EPA	-	Environmental Protection Agency
EPCRA	-	Emergency Planning and Community Right-to-Know Act
FEC	-	Facility Environmental Coordinator
HS	-	Hazardous Substance
LEPC	-	Local Emergency Planning Committee
NOAA	-	National Oceanic & Atmospheric Administration
NWS	-	National Weather Service
RECO	-	Regional Environmental Compliance Officer
RQ	-	Reportable Quantity
SECO	-	Safety/Environmental Coordinator
SPCC	-	Spill Prevention Control and Countermeasures Plan
TPQ	-	Threshold Planning Quantity

## 4.4 Regulatory Requirements

### 4.4.1 Federal

#### a. Clean Water Act

The Clean Water Act empowered the U.S. Environmental Protection Agency (EPA) to protect the “waters of the United States.” As a result, the EPA has created a list of hazardous materials and assigned each a material “reportable quantity” or RQ. If a petroleum product or hazardous material is released (spilled) in a quantity that equals or exceeds the RQ, a report must be filed with the National Response Center within 24-hours.

#### b. Emergency Planning and Community Right-to-Know Act

As a response to the release of a toxic gas in Bhopal, India, Congress enacted the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA). This law created four major programs:

- (1) *Emergency Planning* which requires the States and local governments to plan for chemical emergencies.
- (2) *Emergency Release Notification* which requires notification to the National Response Center in the event of a release of an “extremely hazardous substance.
- (3) *Community Right-to-Know* which requires organizations that use or store hazardous substances or extremely hazardous substances to file reports detailing the quantities of these materials on hand.
- (4) *The Toxic Release Inventory* which requires operations that manufacture, process or use 10,000 pounds of a toxic chemical listed in 40 CFR 372.65 on an annual basis to file an annual report detailing the amount of the material “released to the environment.”

**Note:** Sending a hazardous waste to a permitted facility is defined as a “release” under this rule.

Of these programs, NOAA facilities or work sites may be required to comply with:

- (a) Emergency Planning as a member of the Local Emergency Planning Committee (LEPC)

- (b) Emergency Release Notification if it stores or uses a regulated amount (i.e. more than the threshold planning quantity or TPQ) of an extremely hazardous substance
- (c) Community Right-to-Know if it is required to file a Tier I or Tier II Report (see Section 1.8.4).

#### 4.4.2 State

Several States have enacted legislation which requires additional reporting requirements for releases. Contact the Regional Environmental Coordinator or the Safety/Environmental Coordinator (SECO), if applicable, and/or the NOAA RECO to determine if additional State or local requirements exist.

#### 4.4.3 NOAA

As required by Procedure 5 - Emergency Action Plan of the NOAA Occupational Safety and Health manual, every NOAA facility and work site must have a written Emergency Action Plan to address employee response to all foreseeable emergencies. For facilities and sites that store petroleum products or hazardous substances, the plan must address the actions to be taken in the event of a release of these materials.

### 4.5 Reportable Quantity

#### 4.5.1 Hazardous Substance Release

Because even small spills or releases of hazardous materials can create serious risks to human health and the environment, the EPA has created a list of hazardous substances (HS) and assigned each a “Reportable Quantity” or RQ. The values of the RQs range depending on the dangers presented by the released material. This list of hazardous substances is found in 40 CFR 302.4 and has been incorporated into Appendix B of this manual.

If a quantity equal to or greater than the RQ of a hazardous substance listed in 40 CFR 302.4 is spilled or released “into the environment” within any 24-hour period, the National Response Center (800-424-8802) must be immediately notified, in accordance with Section 4.6, upon discovery.

**Special Note:** The term “into the environment” refers to releases where the material enters the air, water or land. A spill of a liquid that is completely contained on an impermeable surface and has no emissions to the air is not a “release into the environment.”

Some examples:

A release of a liquid with a low vapor pressure (like oil) into a containment area/device where almost all of the material is recovered *would not* be reportable.

A release of a liquid with a high vapor pressure (like acetone) into a containment area where the reportable quantity “could” volatilize into the environment before clean-up is accomplished *would be* reportable.

A release of a fine powder (like a pesticide) into a containment area on a windy day where the reportable quantity could be blown away before clean-up is accomplished *would* also be reportable.

Obviously a release of a hazardous substance into an uncontained area *would* also be reportable.

If the amount of the release is unknown or cannot be determined within the 24-hour time limit, provide notification in accordance with Section 4.6.

The designated RQ varies from 1-pound to 5,000-pounds depending on the material. For example,

- (1) for mercury, the RQ is 1 pound
- (2) for parathion, the RQ is 10 pounds
- (3) For formaldehyde solution, the RQ is 100 pounds
- (4) for sulfuric acid, the RQ is 1,000 pounds

<p><b>Note:</b> Because they have different densities, one pound of mercury is only 1.13 fluid ounces (the sp.gr is 13.59) while 10-pounds of parathion is about 1 gallon(the sp.gr.is about 1.20).</p>
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If a mixture containing one or more hazardous substances is released and the concentrations of the hazardous substances are unknown, a notification in accordance with Section 4.6 must be made if the total amount of the mixture released exceeds the reportable quantity of the hazardous substance with the lowest reportable quantity. For example, a spill of 2 pounds of a mixture containing an unknown concentration of Polychlorinated Biphenyl (PCB) is reportable since it exceeds the PCB reportable quantity of 1 pound.



Although diesel or lubricating oils are not on the list of hazardous substances in Table 302.4, the EPA does require the reporting of oil spills. For oil spills, the NRC must be notified if the release or discharge may violate applicable water quality standards or may cause a film or sheen or discoloration of the surface of the water, or the formation of a sludge below the surface of the water. It is important to note that the oil does not have to actually contact the water to require a report to the National Response Center - it only has to be *possible* that it could contact water to trigger the reporting requirement. Normally, a spill of 25 gallons of oil in an uncontained area will necessitate a call to the National Response Center.

Several States have established reportable quantities for the release of petroleum products. Contact the Regional Environmental Coordinator or the Safety Environmental Coordinator (SECO), if available, and/or the NOAA RECO for assistance in determining the existence and content of any State requirements.

- 4.5.2 As a result of the Emergency Planning and Community Right-to-Know Act (EPCRA), the term “reportable quantity” can have another meaning. If the term “reportable quantity” is applied to the extremely hazardous substances (EHS) identified in 40 CFR 355 (see Appendix A to this manual), and the EHS is not listed as a hazardous substance (HS) in 40 CFR 302.4, the reportable quantity is the amount of the EHS that has been released off-site. This release requires a report be made to the Community Emergency Coordinator (usually the Fire Department) for the Local Emergency Planning Committee (LEPC). Unfortunately, this change complicates the understanding of the term “reportable quantity” and thus the following examples are included here to help clarify this term.

- ☐ If a chemical is only identified as a hazardous substance in 40 CFR 302.4, any release into the environment equal to or greater than the reportable quantity must be reported to the National Response Center.
- ☐ If a chemical is only identified as an extremely hazardous substance in 40 CFR 355, is released to the environment and a quantity equal to or greater than the reportable quantity has gone off-site, the Community Emergency Coordinator for the LEPC must be notified.
- ☐ If a chemical is on both lists as a hazardous substance (40 CFR 302.4) and an extremely hazardous substance (40 CFR 355) and it is released in an amount greater than the reportable quantity:
  - The National Response Center must be notified.
  - The Community Emergency Coordinator must be notified only if it goes off-site.

While most NOAA facilities or work sites do not handle or manage any of the materials on this list, some of the commercially-available pesticides are listed and hence, a review of this list must be made by the Facility Environmental Coordinator, Environmental Focal Point or designated person to determine if any of these chemicals are used or stored by the facility or work site. A one pound spill of chlorodane, a common pesticide, for example, is reportable. The list of EHS has also been incorporated into Appendix B of this manual.

In order to facilitate the reporting of releases of hazardous substances and/or extremely hazardous substances, an inventory of hazardous substances and their RQs should be prepared. See Attachment A of this section for examples of materials used by NOAA facilities and work sites.

#### **4.6 Hazardous Substance and Extremely Hazardous Substance Release Reporting**

When a hazardous material, petroleum product or extremely hazardous material is released (or suspected to have been released) in an amount that either equals or exceeds the RQ or “reasonably might be expected to exceed the RQ,” a number of notifications will be required. These notifications are usually made in the following order:

- a. Local responder (usually a “911” call)
- b. Spill contractor (usually designated in the SPCC Plan)
- c. the Designated Responsible Official (DRO)
- d. the Regional or Operating Unit Environmental Coordinator (if applicable)
- e. NOAA Regional Environmental Compliance Officer (RECO) who will call the National Response Center, if required and the State to report the release
- f. NOAA HQ Environmental Office.

If the NOAA RECO cannot be contacted within 8-hours of the initiation of the release of a reportable quantity of a hazardous substance, the Regional or Operating Unit Environmental Coordinator (if applicable) or NOAA HQ Environmental Office will be responsible for calling the National Response Center and, if required, the State.

#### **4.7 Posting of Phone Numbers**

To ensure all the required contacts and notifications are made, the designated person, Facility Environmental Coordinator or Environmental Focal Point will prepare a list of who needs to be notified and in what order along with the appropriate telephone numbers. The Designated Responsible Official will be provided with a copy of the list which will then be posted in a readily accessible place. The facility/work site Emergency Coordinator(s) identified in the facility/work site Emergency Action Plan must then be informed of the existence of this list as well as when and how it is to be used in the event of a release. For further guidance, consult Procedure 5 - Emergency Action Plan of the NOAA Occupational Safety & Health Manual.

## 4.8 Responsibilities

### 4.8.1 NOAA Headquarters

- a. The NOAA Environmental/Safety Office shall perform an annual assessment of the NOAA Headquarters facilities to ensure that the facilities are in compliance with this section.
- b. The NOAA Environmental/Safety Office shall periodically perform an assessment of the regional headquarters and field offices to ensure compliance with this section. The frequency of these regional and field office assessments shall be determined by the NOAA Environmental/Safety Office.
- c. Requests for clarification concerning this section shall be directed to the NOAA Environmental/Safety Office.

### 4.8.2 Regional or Operating Unit Environmental/Safety Coordinator

- a. Shall monitor and coordinate to promote compliance with the requirements of this procedure for the regional headquarters and field offices or operating units.
- b. Shall ensure that procedures are developed at regional headquarters or operating unit facilities.
- c. Shall perform an annual assessment of the regional headquarters facilities or operating unit to monitor and promote compliance with the requirements of this section.
- d. Shall perform assessments or designate personnel to perform assessments of all field offices to monitor and promote compliance with the requirements of the section.

### 4.8.3 Designated Responsible Official

- a. Shall have oversight over the implementation of this section and ensure that the requirements of this section are followed by individuals at the NOAA facility.
- b. Shall ensure that sufficient personnel and funding are available to enable compliance with all applicable requirements of this section.

- c. Shall ensure that procedures are developed at NOAA field offices for reporting of releases of “hazardous substances” and “extremely hazardous substances” from the facility.
- d. Shall ensure the NOAA is represented at meetings of the Local Emergency Planning Committee.
- e. Shall ensure NOAA employees follow the requirements of this section.
- f. Shall review or delegate review of this section on an annual basis to ensure that the facility is complying with its requirements. Confirmation of this review shall be forwarded to the Regional or Operating Unit Environmental/Safety Coordinator.

4.8.4 Facility Environmental Coordinator, Environmental and/or Safety Focal Point or Designated Person

- a. Shall ensure that any tasks delegated to them by the Designated Responsible Official are implemented in accordance with the requirements of this section.

4.8.5 Employees

- a. Individual employees affected by this section are required to read, understand and comply with the requirements of this section.
- b. Report all violations of the requirements of this section to their supervisor or Environmental Focal Point.

## 4.9 References

### Incorporated References

The following list of references is incorporated as a whole or in part into this section. These references can provide additional explanation or guidance for the implementation of this section.

#### 4.9.1 U.S. Environmental Protection Agency

40 CFR 302.4                      “Designation of Hazardous Substances”

40 CFR 355 Appendix A        “The List of Extremely Hazardous Substances and Their Threshold Planning Quantities”

## Attachment A

Examples of Hazardous Substances *Potentially* Found at NOAA Sites

Hazardous Substances	302.4 RQ (in pounds)
Acetone	5000
Ammonia	100
Ethylene glycol	5000
Dichloromethane (Methylene Chloride)	1000
Formaldehyde	100
Mercury	1
Methanol	5000
Methyl ethyl Ketone (MEK)	5000
Methyl ethyl Ketone peroxide	10
Sulfuric acid (batteries)	1000
Potassium hydroxide	1000
Lead	10
Asbestos (friable)	1
Xylene	100
Toluene	1000